

1 [Reversing the Approval of a Final Mitigated Negative Declaration - 1050 Valencia Street]

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3 **Motion reversing the approval of a Final Mitigated Negative Declaration under the**
4 **California Environmental Quality Act by the Planning Commission for a project located**
5 **at 1050 Valencia Street.**

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7 WHEREAS, The Planning Commission has approved a Final Mitigated Negative
8 Declaration (FMND) for a project located at 1050 Valencia Street under the California
9 Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco Administrative
10 Code Chapter 31. The proposed project involves demolition of an existing one-story
11 commercial building and construction of a five-story mixed-use building within the Valencia St
12 NCT (Neighborhood Commercial Transit) Zoning District and a 55-X Height and Bulk District
13 ("proposed project"). By letters to the Clerk of the Board received on September 12, 2013,
14 Stephen Williams, on behalf of the Liberty Hill Neighborhood Association (Appellant),
15 appealed the Planning Commission's approval of the FMND. Appellants provided a copy of
16 Planning Commission Motion No. 18185, dated September 30, 2010, upholding the
17 Preliminary Mitigated Negative Declaration on appeal to that body. On September 6, 2012, at
18 its regularly scheduled hearing, the Planning Commission took discretionary review and
19 approved the proposed project with conditions (Planning Commission DRA-0291); and

20 WHEREAS, On October 22, 2013, this Board held a duly noticed public hearing to
21 consider the appeal of the FMND filed by Appellant and, following the public hearing, reversed
22 the Planning Commission's approval of the FMND; and

23 WHEREAS, In reviewing the appeal of the FMND, this Board reviewed and considered
24 the FMND, the appeal letter, the responses to concerns document that the Planning
25 Department prepared, the other written records before the Board of Supervisors and all of the

1 public testimony made in support of and opposed to the FMND appeal. Following the
2 conclusion of the public hearing, the Board of Supervisors reversed the Planning
3 Commission's approval of the FMND for the project based on the written record before the
4 Board of Supervisors as well as all of the testimony at the public hearing in support of and
5 opposed to the appeal. The written record and oral testimony in support of and opposed to the
6 appeal and deliberation of the oral and written testimony at the public hearing before the
7 Board of Supervisors by all parties and the public in support of and opposed to the appeal of
8 the FMND is in the Clerk of the Board of Supervisors File No. 130896 and is incorporated in
9 this motion as though set forth in its entirety; now therefore be it

10 MOVED, That this Board of Supervisors reverses the approval by the Planning
11 Commission of the FMND.

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